



United States  
Department of  
Agriculture

Farmers  
Home  
Administration

Washington  
D.C.  
20250

FmHA AN No. 1950(1955)

July 14, 1989

SUBJECT: Elimination of Lead-Based Paint from Housing Inventory Property

TO: State Directors, District Directors and County Supervisors

Purpose/Intended Outcome: To assure compliance as far as practicable, with the provisions of the Lead-Based Paint Poisoning Prevention Act (LPPPA), Public Law 91-695, as amended, as described in Exhibit H of FmHA Instruction 1924-A, with respect to housing inventory property.

Comparison with Previous AN: No previous AN has been issued on this subject.

Background: The LPPPA, among other provisions, requires the elimination of the hazards of lead-based paint poisoning in all federally-owned properties prior to the sale of such properties when their use is for residential habitation. During the review of related FmHA regulations, it has become apparent that the elimination of lead-based paint in inventory housing may require renewed emphasis.

Implementation responsibilities:

County Supervisors are responsible for complying with Exhibit H of FmHA Instruction 1924-A which requires all buyers of inventory housing to be given the notices and information in Attachments 1 and 2 of Exhibit H. In addition, it requires all inventory housing or buildings built before 1950 to be tested for lead content. If found to be hazardous (cracked, loose or peeling paint containing lead), the County Supervisor shall have all interior lead-based paint and any lead-based paint in exterior areas accessible to children removed or covered.

County Supervisors are responsible for assessing the presence of lead-based paint and must take the hazard abatement into consideration in determining program suitability, preparing specifications for any repair and appraising the market value of the property.

If it is determined that the lead-based paint will not be removed or covered, the dwelling or building should be considered unsafe for residential occupancy, and the County Supervisor should use the appropriate deed restrictions as required in FmHA Instruction 1955-C, §1955.116), in all listing, advertising, contract and transfer documents. If it is determined that the real property exclusive of any improvements is unsafe,

EXPIRATION DATE: July 31, 1990

FILING INSTRUCTIONS: Preceding  
FmHA Instruction 1955-C



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for example, the soil around the dwelling or remaining after the building is razed is contaminated with lead-based paint chips and/or dust, then the deed restrictions are not sufficient to assure the elimination of the hazard and the case must be submitted to the National Office, ATTN: appropriate Assistant Administrator, as required in FmHA Instruction 1955-C, §1955.137(e).

Questions concerning current methods of testing and abatement should be first referred to your local county health unit, and finally to your State health and/or paint, cleaners and solvents agencies. These local contacts should be able to provide you with the latest State program requirements for lead-based paint testing and mitigation techniques.

*Michael C. Johnson*

NEAL SOX JOHNSON  
Acting Administrator